

REMARKS

Amendments

Claims 1 and 6 are amended in response to the Examiner's claim objections. In claim 1, the phrase "said titania has" is deleted as being redundant. In claim 6, the word "recited" is changed to "claimed" so that it is consistent with the preambles of the other dependent claims.

Claims 36-39 and 48 are cancelled.

Dependent claim 40 is amended to place it in independent form by including therein the language from claims 37, 38 and 39 from which it depends. As a result of this amendment, claims 37-39 are cancelled.

Dependent claim 49 is amended to place it in independent form by including therein the language from independent claim 48 from which it depends. Claim 48, therefore, has been cancelled.

Claim Objections

The Examiner's claim objection has been addressed by the amendments, thus, it is respectfully submitted that the objection is now moot.

§112 (second paragraph) Rejection of claims 1-6 & 27

The Examiner suggests that the limitation of claim 1 requiring combination of the Group VIb metal component, the Group VIII metal component, and the refractory oxide material prior to shaping is a process limitation that does not have antecedent basis; because, the claim is drawn to a composition.

The applicant respectfully submits that claiming a composition by the method by which it is made is permissible, and, that, in the instant case, reciting a process feature that is directed to certain aspects of the claimed composition is also permissible. The recited limitation of claim 1 that requires the combination of the components prior to shaping has antecedent basis in the published specification at, for example, paragraphs [0020] and [0047] through [0083]. This language requires the final catalyst composition to be a non-impregnated catalyst such as a

catalyst made by shaping the components made by the precipitation or slurry processes as described in detail in the specification.

Considering that process limitations are permissible in the definition of claimed compositions, it is respectfully submitted that claims 1-6 and 27 are definite and, thus, patentable.

§103 Rejection of claims 36-39 & 48 over US 4,206,036

This rejection is now moot in view of the cancellation of the claims.

Conclusion

The Examiner has indicated that claims 28-35 are allowed and that claims 40-47 and 49-56 are objected to. It is respectfully submitted that due to the amendments to claims 40 and 49 that place them in independent form, claims 40-47 and 49-56 are now allowable. Also, in view of the above remarks, it is submitted that claims 1-6 and 27 are allowable. Thus, early allowance of claims 1-6, 27-35, 40-47 and 49-56 is respectfully requested.

Respectfully submitted,

LASZLO DOMOKOS, HERMANUS JONGKIND,
WILLEM H. J. STORK, and
and JOHANNES A. R. VAN VEEN

By /Charles W. Stewart/
Their Attorney, Charles W. Stewart
Registration No. 34,023
(713) 241-0360

P. O. Box 2463
Houston, Texas 77252-2463